

February 3, 2009

TO: Teresa Parsons
Director's Review Program Supervisor

FROM: Kristie Wilson
Director's Review Investigator

SUBJECT: Michael Wilson v. Eastern Washington University
Allocation Review Request ALLO-07-105

On October 13, 2008, I conducted a Director's review by a telephone conference call concerning the allocation of Michael Wilson's position. Present during the telephone conference were Michael Wilson, EWU; Kerry Pease, Director of Sports and Recreation; Electra Jubon, WFSE; Mark Schuller, EWU Human Resources; and myself.

Director's Determination

This position review was based on the work performed for the six-month period prior to June 15, 2007 the date Mr. Wilson requested reallocation of his position. As the Director's investigator, I carefully considered all of the documentation in the file, the exhibits presented during the Director's review conference, and the verbal comments provided by both parties. Based on my review and analysis of Mr. Wilson's assigned duties and responsibilities, I conclude his position is correctly allocated as a Recreation and Athletics Specialist 2.

Background

On July 9, 2007, Mr. Wilson submitted a reallocation request letter (Exhibit A-6) to EWU HR Office requesting that his position be allocated to a Recreation and Athletics Specialist 3 (RAS 3). Mr. Schuller reviewed his request and issued his decision by letter dated October 1, 2007 (Exhibit A-9). In his letter, Mr. Schuller outlined the reasons and basis for his denial. On October 31, 2007, Mr. Wilson filed a request for a Director's review.

Summary of Mr. Wilson's Perspective

Mr. Wilson asserts that he is the night manager of the Sports and Recreation Center and is responsible for supervising 15-20 student employees during evening events. Mr. Wilson states that he is responsible for all audio and scoreboard equipment. These duties include:

- Set up and tear down of scoreboard equipment.
- Maintenance, acquisition, installation, repairs and programming of equipment.
- Maintain existing PA systems.
- Provide tech support during sponsored events.

Mr. Wilson states that he acts as facility manager while representing the Sport and Recreation Center and EWU during university and non university sponsored events. While in this role, Mr. Wilson performs the following duties:

- Crowd management – ensure safe and positive experience.
- Supervise events – staff and ticket sellers.
- Assist athletics in the technical, operational, and customer service capacity.
- Responsible for risk management.

Mr. Wilson feels that he is more involved in the aquatic center since he is the night manager and the Pool Manager works only during the day. Mr. Wilson states that he is responsible for supervising aquatic facility and aquatic staff for evening and special event operations. He is responsible for assisting with maintenance requirements associated with mechanical and chemical operation of the pool.

Mr. Wilson and his supervisor, Kerry Pease, agree that his position falls within the RAS class series but feels he is performing at the higher level. Both believe the RAS 3 job classification best describes the work assigned to his position.

Summary of EWU's Reasoning

EWU agrees that Mr. Wilson is considered the night manager; however, Mr. Wilson only supervises student staff during evening events. EWU asserts that the RAS series is appropriate but their concern is the Department of Personnel definition of each level. EWU feels that the 3 and 4 levels have total control of a recreation program or major segment. EWU feel that Mr. Wilson's duties are more of a facility support position, not running an entire program.

EWU asserts that they looked at the job specifications for the RAS series and felt that although Mr. Wilson supervises evening student staff during events, he does not supervise classified employees. In addition, Mr. Wilson does not manage a total recreation program for a facility having a large sports/recreation program. EWU stated

that they have one RAS 4 position and that person is the Pool Manager which manages a total recreation program. EWU believes that Mr. Wilson handles more of the facility management in the evening and does not manage an actual program.

Rationale for Director's Determination

The purpose of a position review is to determine which classification best describes the overall duties and responsibilities of a position. A position review is neither a measurement of the volume of work performed, nor an evaluation of the expertise with which that work is performed. A position review is a comparison of the duties and responsibilities of a particular position to the available classification specifications. This review results in a determination of the class that best describes the overall duties and responsibilities of the position. Liddle-Stamper v. Washington State University, PAB Case No. 3722-A2 (1994).

The definition for Recreation and Athletics Specialist 3 states:

Plans, organizes, and manages the total recreation program for an institution having a small recreation program; plans, organizes, and directs a major segment of the recreation program for an institution having a large program; or within a Division of Developmental Disabilities residential facility, serves as a member of the interdisciplinary/multidisciplinary team as the representative recreational therapist.

Although Mr. Wilson does supervise student employees, he does not manage a total recreation program. Mr. Wilson acts as a facility manager of a facility not a program. I feel that Mr. Wilson's duties as explained in Exhibit A-3, do not fall under the duties intended for the RAS 3 job classification.

Most positions within the civil service system occasionally perform duties that appear in more than one classification. However, when determining the appropriate classification for a specific position, the duties and responsibilities of that position must be considered in their entirety and the position must be allocated to the classification that provides the best fit overall for the majority of the position's duties and responsibilities. See Dudley v. Dept. of Labor and Industries, PRB Case No. R-ALLO-07-007 (2007).

The definition for Recreation and Athletics Specialist 2 states:

Implements, organizes, schedules, and conducts group and/or individual recreational activities which are part of a larger recreational/sports program system; or participates/assists in recreational therapy for clients such as patients, students, offenders, or other residents of a state institution/facility. Plans, monitors

expenses to help ensure that program budget is maintained; assists with management of a facility.

The duties and responsibilities assigned to Mr. Wilson's position fit closer to the RAS 2 definition and typical work. While examples of typical work identified in a class specification do not form the basis for an allocation, they lend support to the work envisioned within a classification. Both the RAS 3 and RAS 4 classes indicate that typical work includes training, supervising, and coordinating employees in a recreation program. However, the RAS 4 class also indicates that employees perform the following typical work:

- Plan, organize, and direct the activities of the swimming pools
- Plan, organize, and promote an intramural aquatic program
- Enforce pool and safety regulations and administers first aid
- Maintain sanitary conditions in and around the pools and oversees the maintenance of pool equipment facilities
- Prepare reports on accidental injuries and pool operations
- Teach swimming and lifesaving classes and officiate at swim meets
- Develop budget requests for pool facility and activities

As indicated on the organizational chart (Exhibit 10-A), EWU has an RAS 4 position that is responsible for the Pool Management. In addition, EWU has another RAS 2 position that supervises a full-time classified employee in addition to students. During the day, the RAS 2 is second in command and fills in for the Director in his absence, representing him at University meetings and in making operational decisions. Mr. Wilson's duties related to planning, directing, and organizing evening events in the Sports and Recreation Center more closely resemble responsibility for a portion of a recreation program.

A position's allocation, however, is not based on an evaluation of performance or an individual's ability to perform higher-level work. Rather, it is based on the majority of work assigned to a position. In this case, the Recreation and Athletics Specialist 2 classification best describes the work assigned to Mr. Wilson's position.

Appeal Rights

RCW 41.06.170 governs the right to appeal. RCW 41.06.170(4) provides, in relevant part, the following:

An employee incumbent in a position at the time of its allocation or reallocation, or the agency utilizing the position, may appeal the allocation or reallocation to . . . the Washington personnel resources board Notice of

such appeal must be filed in writing within thirty days of the action from which appeal is taken.

The address for the Personnel Resources Board is 2828 Capitol Blvd., P.O. Box 40911, Olympia, Washington, 98504-0911.

If no further action is taken, the Director's determination becomes final.

c: Michael Wilson
Electra Judon, WFSE
Mark Schuller, EWU
Lisa Skriletz, DOP

Enclosure: List of Exhibits